IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 642 of 2005

WITH

CIVIL APPLICATION NO.28 of 2004

Uday A. Khatavkar .. Appellant

versus

The Municipal Corpoation of Gr.

Bbombay & anr. .. Respondents

...

Mr.M.M. Chopra for the appellant.

Mrs.Geeta Jogalekar for the respondents

CORAM : B.H. MARLAPALLE,J

DATED : 4th October 2005

P.C.:

1. By the impugned order dated 11th November 2003, Notice of Motion no.3918 of 2003 filed in L.C. Suit no.6526 of 1999 came to be dismissed. With the passage of time, the challenge to the said order need not be gone into and the learned counsel for the plaintiff states that the suit has already come to

the stage of hearing in as much as the evidence by way of examination in chief has already been placed before the Tribunal.

2. Hence, suit is disposed of and the trial of L.C. Suit no.6526 of 1999 is hereby expedited.

3. Civil Application does not survive.

B.H. MARLAPALLE, J